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VIA ECF

November 6, 2020

Honorable Cecelia G. Morris
United States Bankruptcy Court
Southern District of New York
355 Main Street
Poughkeepsie
New York 12601-3315

Re: *Picard v. Kamenstein, et al.* Adv. Pro. No. 10-04469 (CGM)

Dear Chief Judge Morris:

We represent Defendants in the above-referenced action, which we understand has been reassigned from Judge Bernstein to Your Honor. Since we are a tiny firm, and have deadlines set in other cases during this period, we are writing to seek to adjourn by six weeks the dates for the pre-trial conference and summary judgment motions, which are all presently scheduled for January 27, 2020. We also seek adjournment of the dates for the various pre-trial submissions, scheduled in accordance with Judge Bernstein's Order dated October 2, 2020, *Picard v. Kamenstein*, 10-04469 (CGM) ECF No. 100.

Accordingly, Defendants seek adjournments as follows:

| EVENT | PREVIOUS DEADLINE | PROPOSED DEADLINE |
|--|--------------------------|---|
| Pre-trial conference and arguments on various summary judgment motions | January 27, 2021 | March 10, 2021 (or a date that is convenient to the Court). |
| Trustee to provide his version of pre-trial order to Defendants | November 18, 2020 | December 30, 2020 |
| Defendants to provide comments and insertions | December 18, 2020 | January 29, 2021 |
| Parties to exchange exhibits and deposition designations | January 8, 2021 | February 19, 2021 |

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| Parties to exchange objections to exhibits and deposition designations | January 15, 2021 | February 26, 2021 |
| Parties to submit pre-trial order to the Court | January 20, 2021 | March 3, 2021 |

The deadlines for the briefing schedule on the summary judgment motions were recently agreed to and provided to the Court and have been approved by Judge Bernstein, but have not yet been stipulated to or So Ordered.

| EVENT | APPROVED DEADLINE | PROPOSED DEADLINE |
|---|-------------------|-------------------|
| Defendants to file motion for summary judgment | November 25, 2020 | January 6, 2021 |
| Trustee to file cross-motion and opposition | December 23, 2020 | February 3, 2021 |
| Defendants to oppose cross-motion and reply to motion | January 8, 2021 | February 17, 2021 |
| Trustee to reply on cross-motion | January 22, 2021 | March 3, 2021 |

As set forth above, we are a very small firm. We have significant deadlines in other cases during the same period. For example, in *Callas v. Callas*, 2:14-cv-07486-JMV-JBC, D.N.J., Judge Vasquez recently ordered that substantial summary judgment motions must be filed by both sides in early December that must then be responded and replied to, during December and January 2021. These motions had not been scheduled at the time the Court set the above dates. While the Trustee has advised that he does not consent to the relief requested, it would be substantially difficult for a firm of our size, if not virtually impossible, to make significant submissions to courts simultaneously. We simply seek to move all the deadlines by six weeks, while retaining the order of submissions and the time between each to accommodate other deadlines.

Finally, the parties agreed to the dates for the summary judgment motion immediately before this case was transferred to Your Honor. We were not aware of the schedule in the *Callas* case at that time. However, since we were advised thereafter that this Court asked that the hearings for pending summary judgment motions between the parties in two other cases be adjourned to the same date as the pre-trial conference, we have included the dates for the motions in this case in this request.

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There have been no prior requests for any adjournments of any of these dates.

Respectfully submitted,

/s/ *Helen Davis Chaitman*

Helen Davis Chaitman

cc: All Counsel of Record (*via ECF and email*)